

IN RE: PETITION FOR RESIDENTIAL VARIANCE* BEFORE THE
NW/Corner Vincent Farm Lane and
Bird River Road
(10300 Vincent Farm Lane)
15th Election District
5th Councilmanic District
Michael J. Ayd, et ux
Petitioners

* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 91-385-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit an accessory structure (detached garage) with a height of 19 feet in lieu of the maximum permitted 15 feet, in accordance with Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 22-26 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 14th day of May, 1991 that the Petition for Residential Variance to permit an accessory structure (detached garage) with a height of 19 feet in lieu of the maximum permitted 15 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2) In compliance with the Office of Planning comments dated April 24, 1991, copy of which is attached hereto and made a part hereof, Petitioners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartments. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

3) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

JRH:bjs

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

May 14, 1991

Mr. & Mrs. Michael J. Ayd
10300 Vincent Farm Lane
White Marsh, Maryland 21162

RE: PETITION FOR RESIDENTIAL VARIANCE
NW/Corner Vincent Farm Lane and Bird River Road
(10300 Vincent Farm Lane)
15th Election District - 5th Councilmanic District
Michael J. Ayd, et ux - Petitioners
Case No. 91-385-A

Dear Mr. & Mrs. Ayd:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Residential Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjs

cc: People's Counsel

File

PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

91-385-A

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section

400.1 To allow an accessory structure (detached garage)
with a height of 19 ft. in lieu of the maximum permitted 15 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason (indicate hardship or practical difficulty): THE GARAGE IS BEING BUILT FOR STORAGE. (WE HAVE NO BASEMENT OR ATTIC) SUCH AS: CHRISTMAS MATERIALS, LAWN MOWER, RIDING LAWN MOWER, GARDENING TOOLS, TONS, CLOTHES, BABY CRIB, AND CHAIN SAW AND HAND POWER TOOLS.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City/State/Zip Code

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Attorney's telephone number

Legal Owner(s):

(Type or Print Name)

Signature

Address

City/State/Zip Code

Name

Address

City/State/Zip Code

Name

Address

City/State/Zip Code

ORDERED by the Zoning Commissioner of Baltimore County, this 29th day of May, 1991, that the subject matter of this petition be posted on the property on or before the 14th day of April, 1991.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER OF BALTIMORE COUNTY

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS FURTHER ORDERED by the Zoning Commission of Baltimore County, this day of , 19 , that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers or general circulation throughout Baltimore County, that the property be reported, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the day of , 19 , at o'clock, a.m.

ORDER RECEIVED FOR FILING

Date

By

ZONING COMMISSIONER OF BALTIMORE COUNTY

AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently or upon settlement will reside at 10300 VINCENT FARM LANE, WHITE MARSH, MD 21162
(Address)

That based upon personal knowledge, the following are the facts upon which I/we base the request for a Residential Zoning Variance at the above address: (Indicate hardship or practical difficulty)

GARAGE IS BEING BUILT FOR STORAGE, SUCH AS:
CHRISTMAS MATERIALS, LAWN MOWER, RIDING LAWN MOWER,
GARDENING TOOLS, TONS, CLOTHES, BABY CRIB, CHAIN SAW,
AND HAND POWER TOOLS.

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

Michael J. Ayd
AFFIANT (Handwritten Signature)
PHYLUS J. AYD
AFFIANT (Printed Name)

Michael J. Ayd
AFFIANT (Handwritten Signature)
Michael J. Ayd
AFFIANT (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 29th day of March, 1991, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Michael J. Ayd and PHYLUS AYD

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS by hand and Notarial Seal.

March 29, 1991
DATE

John M. Gorman
NOTARY PUBLIC

My Commission Expires: October 1, 1992

375

ZONING DESCRIPTION
91-385-A
BEGINNING FOR THE SAME ON THE NORTH SIDE OF THE BIRD RIVER ROAD WHERE IT IS INTERSECTED BY THE SECOND OR SOUTH 19-34 DEGREE WEST 129-36/100 PERCHES LINE OF A PARCEL OF LAND RECORDER IN BALTIMORE COUNTY IN LIBER W.H.M. NO. 661, FOUR 284; AS NOW SURVEYED NORTH 22 DEGREES EAST 186 FEET 11 1/2 INCHES; THENCE LEAVING SAID 80 FOOT ROAD AND RUNNING FOR LINES OF DIVISION THE TWO FOLLOWING COURSES AND DISTANCES TO WIT: NORTH 86 DEGREES WEST 149 FEET 3- 1/2 INCHES AND SOUTH 5 DEGREES 14 MINUTES WEST 177 FEET 10 INCHES TO THE NORTH SIDE OF SAID ROAD SOUTH 86 DEGREES EAST 95 FEET 7- 1/4 INCHES TO THE PLACE OF BEGINNING. ALSO KNOWN AS 10300 VINCENT FARM LANE AND LOCATED IN THE #15 ELECTION DISTRICT.

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-4150
Number

Date

3/29/91

H9100675

	QTY	PRICE
PUBLIC HEARING FEES		
REPORTING VARIANCE FEE	1 X	\$35.00
REPORTING SIGNING / ADVERTISING	1 X	\$25.00
TOTAL:		\$60.00

LAST NAME OF CLIENT: AYD

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-4150
Number

Date: 3-29-91

MR. & MRS. Michael J. Ayd.
10300 Vincent Farm Lane.

Administrative (Residential) Variance

Filing fee \$35.00
Sign & posting 25.00
Total \$60.00

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

March 17, 1991

Mr. & Mrs. Michael J. Ayd
10300 Vincent Farm Lane
White Marsh, MD 21162

RE: Item No. 375, Case No. 91-385-A
Petitioner: Michael J. Ayd, et ux
Petition for Residential Variance

Dear Mr. & Mrs. Ayd:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3351.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

Your petition has been received and accepted for filing this
10th day of April, 1991.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

[Signature]
Chairman
Zoning Plans Advisory Committee

Petitioner: Michael J. Ayd, et ux

Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

April 15, 1991

TO: Zoning Commissioner
Office of Planning and Zoning

FROM: DIVISION OF GROUND WATER MANAGEMENT

SUBJECT: Zoning Item #375, Zoning Advisory Committee Meeting of
April 16, 1991, Mr. Michael J. Ayd, et ux, NWC Vincent Farm Lane
and Bird River Road (#10300 Vincent Farm Lane), D-15, Private
Water and Sewer

COMMENTS ARE AS FOLLOWS:

Any permanent building structures must be a minimum of 20 feet from any
portion of the septic system or septic reserve area.

SSF:rmk
AB

[Stamp]
ZONING OFFICE

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: MICHAEL J. AYD

Location: #10300 VINCENT FARM LANE

Item No.: 375 Zoning Agenda: APRIL 16, 1991

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by
this Bureau and the comments below are applicable and required to be
corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *[Signature]* Noted and Approved *[Signature]*
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: April 17, 1991

FROM: Dennis A. Kennedy, P.E.

RE: Zoning Advisory Committee Meeting
for April 16, 1991

The Developers Engineering Division has reviewed
the subject zoning items and we have no comments for
Items 9-Cycle IV-Case No. R-91-115, 357, 371, 374, 375,
376, 378, 380, 381 and 383.

For Item 10-Cycle IV-Case No. R-91-116, County Review
Group Meeting may be required.

For Item 198-Case No. 91-254-A, the previous minor
subdivision comments still apply.

For Item 372, this site must be submitted through
the minor subdivision process for review and comments.

[Signature]
Dennis A. Kennedy, P.E., Acting Chief,
Developers Engineering Division

DAR:s

April 12, 1991

Mr. & Mrs. Michael J. Ayd
10300 Vincent Farm Lane
White Marsh, Maryland 21162

Re: CASE NUMBER: 91-385-A
LOCATION: NWC Vincent Farm Lane and Bird River Road
10300 Vincent Farm Lane

Dear Petitioner(s):

Please be advised that your Petition for Residential Zoning Variance has been assigned the above case
number. Any contact made to this office should reference the case number. This letter also serves as a
refreshers regarding the administrative process.

1) Your property will be posted on or before April 17, 1991. The last date (closing date) on which a
neighbor may file a formal request for hearing is May 2, 1991. Should such request be filed, you will receive
notification that the matter will not be handled through the administrative process. This will mean
advertising of the public hearing and reporting of the property. The public hearing will be scheduled
approximately 30 - 45 days from receipt of said notice. In either case, (a) receipt of notification that you
will have a public hearing or, (b) the posting of the closing date, the sign and post can then be removed
from the property and returned to this office. Failure to return the sign and post will cause your order to be
held and incur a \$50.00 charge. Please be advised that the Order will not be available for you to pick-up the
day you return the sign.

2) Assuming no neighbor has requested a public hearing, the file now enters the final review stage of
the administrative process. The Zoning Commissioner must now decide whether to grant or deny the request. He
also has the option to request a public hearing.

3) PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD,
THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL
REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS
READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.
ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING
MAILED TO YOU.

Very truly yours,

[Signature]
G. G. Stephens
(301) 887-3391

91-385-A 5-2

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: May 10, 1991

TO: Mr. J. Robert Haines
Zoning Commissioner

FROM: Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: April 16, 1991

This office has no comments for items number 357, 371, 372, 374, 375,
376, 378, 381 and 383:

[Signature]
Rahee J. Famili
Traffic Engineer II

RJF/lvd

MA May 2nd 91-385-A

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines DATE: April 24, 1991
Zoning Commissioner

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Michael J. Ayd, Item No. 375

In reference to the requested variance, staff offers the
following comment:

- Should the applicant's request be granted, a restriction
shall be placed in the order prohibiting any living quarters,
kitchen, or bathroom facilities in the garage.

If there should be any further questions or if this office can
provide additional information, please contact Jeffrey Long in the
Office of Planning at 887-3211.

PK/JL/cmm

ITEM375/ZAC1

received
5/30/91

CASE NUMBER 91-385-A

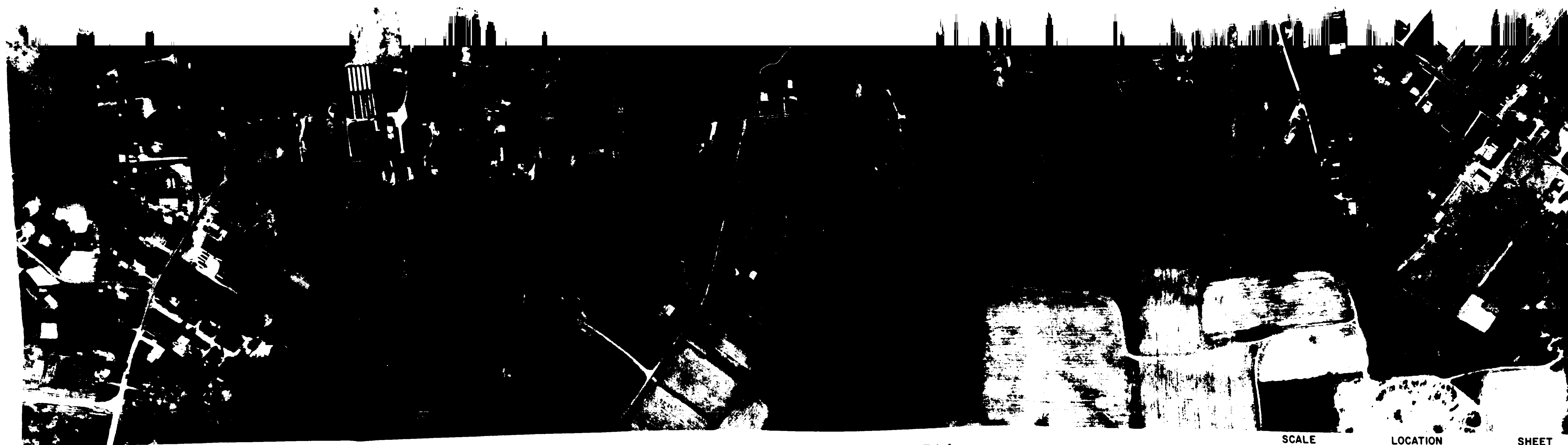


*Proposed open
view NE for Bird River Rd*



*Proposed garage
view West from Vincent Farm Ln*

PETITIONER'S EXHIBIT #



#375

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W V 25401

SCALE	LOCATION	SHEET
1" = 200' ±		
DATE OF PHOTOGRAPHY JANUARY 1986	COWENTON VICINITY	NE. 7-J

91-385-A